

FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT

IN THE UNITED STATES DISTRICT COURT
 FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

(1) TyGanda Gilmore #13255171 :
 (Name of Plaintiff) (Inmate Number) :
F.C.C-Allenwood-U.S.P :
P.O. Box 3000, White Deer, PA 17887 :
 (Address) :

(2) _____ :
 (Name of Plaintiff) (Inmate Number) :
 _____ :
 (Address) :

4:21-CV-0619
 (Case Number)

(Each named party must be numbered,
 and all names must be printed or typed)

vs.

CIVIL COMPLAINT

(1) ~~Mr. Fox~~ / Warden, e.T.C, Al :
 (2) Mr. Fox, Correctional officer :
 (3) Mr. Vrabel, Correctional officer :
 (Names of Defendants) :

FILED
 SCRANTON
 APR 05 2021
 PER [Signature]
 DEPUTY CLERK

(Each named party must be numbered,
 and all names must be printed or typed)

TO BE FILED UNDER: ☐ 42 U.S.C. § 1983 - STATE OFFICIALS
☒ 28 U.S.C. § 1331 - FEDERAL OFFICIALS

I. PREVIOUS LAWSUITS

A. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

TyGanda Gilmore #13255171 Vs. Warden, e.T, Al Case # 6:16cv286, 2016
Appeal # 16-6839 and 19-5237-Remanded back From 2016-To-Present.
still active on staff C/o misconduct, about Excessive Force &
Assaults/ABuse done Intentionally, Wantonly in a Threaten Matter.

II. EXHAUSTION OF ADMINISTRATIVE REMEDIES

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to each ground on which you request action.

- A. Is there a prisoner grievance procedure available at your present institution? ☒ Yes ☐ No
- B. Have you fully exhausted your available administrative remedies regarding each of your present claims? ☐ Yes ☐ No ☐ Both
- C. If your answer to "B" is Yes:
1. What steps did you take? I tried to file on Remedies at the Institutional level, but Case manager or unit ~~team~~ trash Remedies.
 2. What was the result? it depend what I put in Remedies
But Basically if it's about staff assaults or Excessive force, its trashed.
- D. If your answer to "B" is No, explain why not: Some I try to, but I stop because I was threaten by unit team & Shu C/O and Lieutenants of body-Harm.

III. DEFENDANTS

- (1) Name of first defendant: Lieutenant, Mr. Rosler

Employed as Lieutenant at U.S.P - Canaan
Mailing address: P.O. Box 300, Waymart, PA 18472

- (2) Name of second defendant: Lieutenant, Mr. Helms

Employed as Lieutenant at U.S.P - Canaan
Mailing address: P.O. Box 300, Waymart, PA 18472

- (3) Name of third defendant: Lieutenant, Mr. Hicks

Employed as Lieutenant at U.S.P - Canaan
Mailing address: P.O. Box 300, Waymart, PA 18472

(List any additional defendants, their employment, and addresses on extra sheets if necessary)

IV. STATEMENT OF CLAIM

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach no more than three extra sheets if necessary.)

1. on April 16, 2019, between 7:00 & 10:30am, in Special Housing unit, I was Threaten,
and called a (snitch) which put my life in danger by these C/O's because my
Cooperation With the U.S. Attorney & Law Enforcement, then these C/O's
Created this Fabricated Incident Reports on me because the mention above and
stating I'm a sex offender, misleading my past state conviction about
my ~~ex~~-Girl friend, to these 2 Inmates putting my life in danger.

Case 4:21-cv-00619-MWB-EBC Document 1 Filed 04/05/21 Page 3 of 7
These c/o's involve was (Mr. Vrebe) (Mr. Turner) at the moment I don't have
The other c/o's names. These created this incident, Intentionally, Wantonly
and Sadistically to cause Harm, using (Excessive Force) (after I cuffed-up)
See Attachment - Page ①

2. On, April, 17, 2019-between 7:00 & 3:00, in special Housing unit,
lieutenant, Mr. Helms, Intentionally, Wantonly and Sadistically
to cause Harm, tighten my Restraints, because ^{after} ~~after~~ He ask
me if I'm Ready-to take a Cellmate, I said no you cant force me
To take a Cellmate, then use Restraints to Intimidate & torture me
which is EXCESSIVE FORCE, the threaten me say I'm a Snitch.

3.

N/A SEE Attachment
Page ②

V. RELIEF

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

1. I ReQuest Compensatory and puritive damages, Cost if the Wrongfull
act was done Intentionally and Maliciously. & For mental Suffering.
and Excuse my Remedies because I was denied Remedies beCause
they Was trashed after I turn them in Which I was deprived of my Rights.
2. I ReQuest the Judge act on (my EXCESSIVE FORCE claims) and my
(deprive of a Right Act) to File Remedies that Was trashed by my
unit team if it had anything to do with these staff Misconduct.
in Violation of a Constitutional Secured Right under 1, 4, 5, 6, 8, 14 -
Admendment amendments
3. I ReQuest Judge order all law Im entitle to be appropriately
done as to this good-faith Action, so these Correctional officer
be Held accountable in their Individual Capacity, also for Judge
To consider my timing of Remedies Violation and my time Remaining
To Release Home on 4-9-21, to EXCUSE my Remedies to courts.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 31 day of March, 2021.

Tyqanda Silmose
(Signature of Plaintiff)

To:

U.S. Dist. Court of PA
235 N. Washington Ave
P.O. Box 1148
Scranton, PA 18501-1148

Page ①

Civil Rights under 42 usc 1983 Bivens Action

FROM:

Tyganda Gilmore #13255171
F.C.C. Allenwood - U.S.P
P.O. Box 3000
White Deer, PA 17887

* Case # To be Provided by Court clerk N/A

Tyganda Gilmore #13255171
Plaintiff

VS

Warden, etc, al

FILED
SCRANTON

APR 05 2021

PER [Signature]
DEPUTY CLERK

I bring to this court, under (42 usc 1983 Bivens Action) on defendants

on April, 16 2019 (between 7:00 and 10:30 Am) Special Housing unit) Mr. Rosler - L-T
C/o's - (Mr. Vrabel, Mr. Turner) and at the moment I don't have other C/o's names,
These, C/o's Created this Incident Intentionally, Wantonly and Sadistically
to cause Harm to me (using excessive-force) after I cuffed-up,
(tightening my Hand-cuff Intentionally, Sadistically) to try to Intimidate
me (because I Refuse to take cell-mate) under C/o's trying to Force me to
I was Then place in A Holding-tank down stair - in Special-Housing-unit,
then C/o's took my cuffs off, - (Mis-use of power by going to get
a use-of-force team to Extract me out the Hold-tank, because
I stated to C/o's yall cant force me to take a cell-mate.

I was then place in 4-Points - Restraints - Intentionally, Wantonly
as to Factor's Intimidation, torture, and Excessive-force - to
cause harm to me Intentionally, Sadistically and not in Good-faith.

on, April, 17 2019 - between 7:00 and 3:00) special Housing unit
Lieutenant (L-T) Mr. Helms, Intentionally, Wantonly and Sadistically to cause
Harm, tighten my Restraints, because After He ask me if I'm
Ready - to - take a cell-mate, I said no - thats Why He tighten my
Restraints, Using excessive-force, Intimidation, and torture with the
Restraints (to cause so-much-pain) (To Where I Will Give-in to take Cell)

Page (2)

Civil Rights under 42 USC 1983 Bivens Action

*CASE# To be Provided by Court Clerk N/A

on (September 16, 2019 at 8:30) (Special Housing unit), (C/o - Mr. Orth)
(Fabricated this Incident) (about covering cell - ~~the~~ window)
then on top of It, Fabricated - That I threaten Him)

because I stated to him I'm gone to file grievance on Him,
and also He can not Retaliate against me because my
Civil Law suits being litigated in the courts, then He started
(telling the Inmates on the Range I'm (cooperating with the
(Law-enforcements) (U.S. Attorneys) and (I'm a snitch) for
me trying to exercise - My - Right to Courts or Remedies,
Which is in Violation of (Free-speech) (Retaliation) (Harassment)
(abuse-of-Power) (of Constitutional - Rights of a prisoner
Put in my Life in danger saying I'm a snitch to other Inmates &
Telling them I'm a sex offender, Regarding to my Past state Conviction.

on (September 17, 2019 at 5:25) (Special Housing unit) C/o Mr. Fox, Mr. Hicks
lied / Fabricated Incident) about Fight / Assault on Inmate
J. Carter-Smith. - (the C/o-Mr. Fox look in cell ^{and said} I don't like
check-ins) - (P.C - Protected-Costudy) - While Me and Cell-mate
Was eating, Next thing I know - I heard Restraint-Slot open,
and as Went to look - (Mr. Fox Was sparying Mace / peper - spary
into the cell - Intentionally, Wantonly and - sadistically to
cause Harm - Intentionally used an excessive amount of peper spary on
us When it Was Never a Fight / Assault going on - (And the lack of -
Effort to temper the effect of peper spary Provided an Inference
that Mr. Fox and Lieutenant, Mr. Hicks - Wantonly Inflicted pain on me
because they said I'm a snitch, Cooperated With Law enforcement, U.S. Attorney.

INMATE NAME/NUMBER: TyGANDY Gilmore# 13255171
FEDERAL CORRECTIONAL COMPLEX-ALLENWOOD U.S.P.
P.O. BOX 3000
WHITE DEER, PA 17887

MD

Mailed From US Penitentiary

RECEIVED
SCRANTON

APR 05 2021

MD
PER DEPUTY CLERK

APR 01 2021



HARRISBURG PA

2 APR 2021 PM

U.S. Dist. Court of PA
235 North Washington Avenue
P.O. Box 1148
SCRANTON, PA 18501-1148

18501-114848

* LEGAL MAIL *

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21